

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC., *et al.*

Plaintiffs,

v.

MORGAN STANLEY & CO., INC., *et al.*

Defendants.

CIVIL ACTION NUMBER:
1:10-CV-03108-JOF

[PROPOSED] STIPULATION AND CONSENT ORDER
EXTENDING TIME

Plaintiffs and Defendant Merrill Lynch, Pierce, Fenner & Smith, Incorporated (“Merrill Lynch”) have conferred and stipulated to extend Merrill Lynch’s time to file a response to Plaintiffs’ Motion to Compel Against Defendant Merrill Lynch, filed on September 21, 2010 in the State Court of Fulton County, Georgia (the “Motion to Compel”).¹ This action was removed to this Court on September 28, 2010, from the State Court of Fulton County, Georgia.²

¹ By entering into this Stipulation, Plaintiffs reserve their right to assert that the deadline for Merrill Lynch to file a response to the Motion to Compel has passed and that Merrill Lynch therefore is deemed not to have opposed the motion.

² Plaintiffs believe that the removal was improper, and have moved to remand this action to the State Court. Consequently, Plaintiffs have agreed to this Proposed Stipulation and Consent Order Extending Time only because of

By agreement among Plaintiffs and Merrill Lynch, and for good cause shown, it is hereby ORDERED that the time for the Merrill Lynch to file a response to the Motion to Compel is extended through and including October 28, 2010. By entering this Order the Court takes no position on whether Merrill Lynch has missed the deadline for responding to the Motion to Compel, and does not limit Plaintiffs' ability to argue that point and for this Court to so find.

So ORDERED this ____ day of October 2010.

J. Owen Forrester, Senior Judge
United States District Court

the need to address a pending deadline, and this Stipulation and Consent Order should not be construed as Plaintiffs' agreement or consenting to the removal or the jurisdiction of this Court.

Jointly submitted this 21st day of October 2010.

/s/ Steven J. Rosenwasser

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CERTIFICATE OF SERVICE

This is to certify that I have this day caused a copy of the foregoing
[PROPOSED] STIPULATION AND CONSENT ORDER EXTENDING TIME
to be filed with the Clerk of Court using the CM/ECF system, which will
automatically send e-mail notification of such filing to the following attorneys of
record:

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Dated: October 21, 2010

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